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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO / OAKLAND DIVISION

JASON ZAJONC and DENNIS FOWLER,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

MORGAN STANLEY & CO. LLC,  
f/k/a Morgan Stanley & Co. Incorporated,  
MORGAN STANLEY SMITH BARNEY  
LLC, and MORGAN STANLEY,

Defendants.

**Case No. 14-cv-05563-EMC**

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE DEADLINE FOR  
JOINT MOTION TO TRANSFER**

Complaint Filed: December 19, 2014

**STIPULATION**

WHEREAS, on March 9, 2016, the parties filed a Notice of Settlement and Request to Vacate all Dates on Calendar (ECF No. 124), informing the Court that they have reached an agreement in principle to resolve the claims of the Plaintiffs and the putative class as part of a settlement of the following other cases: *Devries v. Morgan Stanley & Co., LLC*, No. 12 Civ. 81223 (S.D. Fla.); *Hix v. Morgan Stanley & Co., LLC*, No. 15 Civ. 1157 (D. Md.); and *Johnson v. Morgan Stanley & Co., LLC*, No. 15 Civ. 4856 (S.D.N.Y.) (“Notice of Settlement”);

WHEREAS, the Notice of Settlement informed that Court that the terms of the settlement, agreed to by the parties, call for the settlement to be memorialized in a comprehensive settlement stipulation and for the parties to move to transfer this case (as well as the *Hix* and *Johnson* actions) to the Southern District of Florida to be joined with *Devries* before Judge Marra for purposes of seeking approval of the settlement;

WHEREAS, the Notice of Settlement stated that the parties would finalize a formal settlement stipulation and submit a joint motion to transfer no later than April 11, 2016;

WHEREAS, on March 15, 2016, the Court stamped the last page of the Notice of Settlement, “it is so ordered as modified” and inserted the following language: IT IS SO ORDERED that the further CMC is reset from 3/23/16 to 5/5/16 at 10:30 a.m. An updated joint CMC statement shall be filed by 4/28/16.” (ECF No. 125);

WHEREAS, on April 11, 2016, the parties filed their first Joint Stipulation and Proposed Order to Continue Deadline for Joint Motion to Transfer and Case Management Conference to afford the parties additional time to complete negotiations on their settlement stipulation and finalize same along with other required submissions, including their joint motion to transfer. (ECF No. 126);

WHEREAS, on April 12, 2016, the Court entered the parties’ Joint Stipulation and Proposed Order to Continue Deadline for Joint Motion to Transfer and Case Management Conference setting the deadline for the parties to file their joint motion to transfer to May 11, 2016 and continuing the CMC to June 30, 2016. (ECF No. 127);

1 WHEREAS, the parties have diligently been working to prepare the settlement stipulation  
2 and other required submissions, including the joint motion to transfer in this matter as well as in  
3 the *Hix* and *Johnson* matters;

4 WHEREAS, given the ongoing efforts to negotiate the settlement stipulation in these  
5 matters, the parties require additional time to submit a joint motion to transfer;

6 WHEREAS, at this time the parties intend to complete and submit their joint motion to  
7 transfer in advance of the June 30, 2016 CMC and thus no other deadlines will be affected by this  
8 Stipulation.

9 ACCORDINGLY, THE PARTIES HEREBY STIPULATE AND AGREE to continue the  
10 deadline to file a joint motion to transfer to June 10, 2016.

11 **IT IS SO STIPULATED.**  
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Dated: May 11, 2016

By: /s/ Jahan C. Sagafi  
Jahan C. Sagafi

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*Attorneys for Plaintiffs and Proposed Class Members*

1 Dated: May 11, 2016

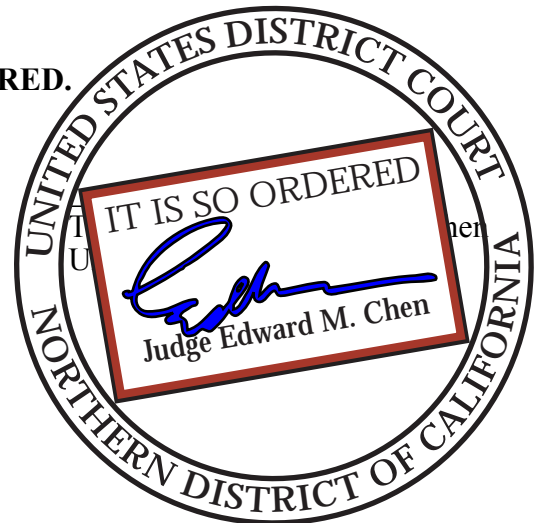
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*Attorneys for Defendants*

12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13 Dated: May 12, 2016



**ATTESTATION OF SIGNATURE**

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatory above.

DATED: May 11, 2016

OUTTEN & GOLDEN LLP

By: /s/ Jahan C. Sagafi

*Attorneys for Plaintiff and Proposed Class Members*